

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
ATTORNEY DOCKET NO. 14680US02

In the Application of:)
Savekar) **ELECTRONICALLY FILED**
Serial No.: 10/607,363) **Dated: May 13, 2008**
Filed: June 26, 2003)
Group Art Unit: 2178)
Examiner: Faber)
Confirmation No. 6108)
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REQUEST FOR PRE-APPEAL BRIEF REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This correspondence is filed in response to the Final Office Action of February 13, 2008.

REMARKS

Claims 7, 8, 10, and 11 are pending and stand rejected under 35 U.S.C. 103(a). Continued Examination is respectfully requested.

Claim 7 was rejected under 35 U.S.C. 103(a) as obvious from the combination of King in view of Wallace.

Claim 7 recites, among other limitations “a decompression engine for decompressing the compressed representation of the first frame and creating a graphic, said graphic displaying the at least one parameter”. Examiner has indicated that:

However, King fails to specifically disclose a decompression engine for compressing the compressed representation of the first frame. However, Wallace et al discloses a process of generating annotations wherein data frames that are compressed are then subsequently decompressed based on MPEG standard in paragraph 0026. Furthermore, Wallace discloses creating annotation (graphic) such as a label that includes text (parameter) wherein images are labeled with annotations. (Paragraph 0023, 0027, 0032). In addition, since Wallace disclose the functionality for decompressing the compressed frame and also creating an annotation, Wallace providing the means and the means and the functionality of a decompressing engine. Therefore, Wallace provides a form of a decompression engine.

It would have been obvious to one of ordinary skill in the art at the time of the Applicant’s invention to modify King et al’s annotation method by including therein data compression and decompression means with full motion digital video frames. One of ordinary skill in the art at the time of the Applicant’s invention would have known that full motion digital video frames can be compressed for optimizing cost and use of less hardware; therefore, would have used Wallace et al’s process prior to using King et al’s annotation method.

Office Action at 3-4.

Assignee respectfully traverses the rejection and submits that the combination of King in view of Wallace does not teach “a decompression engine for decompressing the compressed representation of the first frame and creating a graphic, said graphic displaying the at least one parameter”. If one skilled in the art “would have used Wallace et al’s process prior to using King et al’s annotation method”, Wallace’s process being “data compression and decompression means with full motion digital video frames”, the foregoing would not teach “a decompression engine for … creating a graphic”. That is

because Wallace's process for "data compression and decompression means with full motion digital video frames" would be used "prior to using King et al's annotation method".

Moreover, although Examiner has indicated that "Wallace et al discloses a process of generating annotations wherein data frames that are compressed are then subsequently decompressed based on MPEG standard in paragraph 0026. Furthermore, Wallace discloses creating annotation (graphic) such as a label that includes text (parameter) wherein images are labeled with annotations. (Paragraph 0023, 0027, 0032)", Wallace does not teach the claimed "a decompression engine for ... creating a graphic". In contrast, Wallace [0027] teaches that "Once decompressed, the expert viewer of the list or user of the interactive tool then can view, create, edit, annotate, or delete these attributes assigned to certain frames of the video."

Assignee also traverses the rejection because compressing "full motion digital video frames" certainly does not result in the "use of less hardware". Even if "it was well-known to one or ordinary skill in the art that data compression and decompression means is made of purely software code, known as algorithms, that can be performed by only software alone, i.e., a software 'engine'", the foregoing does not establish that "full motion digital video frames can be compressed for optimizing cost and use of less hardware". For this reason alone, Assignee respectfully requests that Examiner withdraw the rejection to claim 7 and dependent claims 8, 10, and 11.

Conclusion

For at least the foregoing reasons, Assignee respectfully submits that each of the pending claims are in a condition for allowance and Examiner is respectfully requested to pass this case to issuance. It is believed that no fee is due, however, to the extent that any fee is due, the Commissioner is hereby authorized to charge such fee to charge account 13-0017.

Respectfully submitted,



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Date: May 13, 2008

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 14680US02
I hereby certify that this correspondence is being electronically filed with United States Patent and Trademark Office		Application Number 10/607,363
on <u>May 13, 2008</u>		Filed June 26, 2003
Signature <u>/Mirut P. Dalal/</u>		First Named Inventor Savekar
Typed or printed Name <u>Mirut P. Dalal</u>		Art Unit 2178
		Examiner Faber
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.		
This request is being filed with a notice of appeal.		
The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.		
I am the		/Mirut P. Dalal/
<input type="checkbox"/> applicant/inventor.		Signature
<input type="checkbox"/> assignee of record of the entire interest.		Mirut P. Dalal
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		Typed or printed name
<input checked="" type="checkbox"/> attorney or agent of record.		(312) 775-8063
Registration number <u>44,052</u>		Telephone number
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34.		May 13, 2008
Registration number if acting under 37 CFR 1.34		Date
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.		
<input type="checkbox"/> *Total of <u> </u> forms are submitted.		

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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